

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

AMBROSIO ESPINOZA and
HUGO ROMAN BARCENAS,
Plaintiffs,

§

V.

§

CIVIL ACTION NO. 4:17-cv-0867

WHITEROC DRYWALL, LLC,
Defendant.

§

JURY DEMANDED

**PLAINTIFF JOVANI RIVERA'S NOTICE OF DISMISSAL WITHOUT
PREJUDICE**

Plaintiff Jovany Rivera files his notice of dismissal under Federal Rule of Civil Procedure 41(a)(1)(A)(i).

1. Plaintiff is Jovani Rivera; Defendant is Whiteroc Drywall, LLC.
2. On March 20, 2017, Ambrosio Espinoza sued Defendant; on April 6, 2017, an Amended Complaint was filed for Rivera to become part of this litigation.
3. Defendant has been served with process but has not filed an answer or a motion for summary judgment.
4. This case is not a class action.
5. A receiver has not been appointed in this action.
6. This case is not governed by any federal statute that requires an order of the court for dismissal of the case.
7. Plaintiff Jovani Rivera has not dismissed an action based on or including the same claims as those presented in this suit.
8. This dismissal is **without** prejudice to re-filing.

Respectfully Submitted,

/s/ Josef F. Buenker

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**ATTORNEY-IN-CHARGE FOR
PLAINTIFF JOVANI RIVERA**

CERTIFICATE OF SERVICE

I hereby certify that on August 11, 2017, I electronically filed a copy of the foregoing pleading and served it by electronic transmission through the Court's CM/ECF system.

/s/ Josef F. Buenker
Josef F. Buenker